

INTRODUCTION

2014 EDITION

Fast Forward

One day I was doing a radio interview on the Louisiana Radio Network in Baton Rouge. Toward the end of the interview, host Jim Engster took some listener calls, and one caller asked an interesting question: Had I ever heard about the woman who was a neighbor of Dr. Mary Sherman in the Patio Apartments, and who had seen Lee Oswald there? Yes, I had, and recalled her name on the air: Victoria Hawes. He agreed.

I had read about Victoria Hawes in *Farewell to Justice*, a book by Joan Mellen about Jim Garrison's investigation into the JFK assassination. Mellen had reported (p. 50) that in the summer of 1963, Victoria, 21, was a young stay-at-home mother living in the Patio Apartments when she heard a knock on her apartment door. As she approached the sliding glass door, she recognized the person on the other side of the clear barrier. It was a young man who had gone to Jr. High School with her older sister; his name was Lee Oswald, 23. Victoria

opened the door and greeted Lee by name and reminded him that her sister had known him years before. Lee said that he was looking for Juan Valdez¹ and was wondering if he was at home. Victoria explained that Juan actually lived in the apartment next door. Lee listened, thanked Victoria, and then went on his way to find Juan's apartment.

Then came a mind-boggling revelation: Victoria said that Lee Oswald visited Juan Valdez's apartment upon numerous occasions that summer, and when he did, there was always a curious activity that she could hear coming from the apartment. The toilet was flushing over-and-over again, more than twenty times in a row. What was going on?

After I recapped the above information for the radio show's audience, the caller said that he was related by marriage to Victoria Hawes's ex-husband and that, if I was interested in talking to him, he would put me in touch. Eager to find out more about this curious tale of the flushing toilets, I accepted the offer.

Within days, I had spoken separately by phone to both Victoria Hawes and her ex-husband Owen Hawes. Both confirmed that they had been married and lived in the Patio Apartments in the summer of 1963, but they had moved out before Mary Sherman was murdered. Both knew Juan Valdez because they lived next door to him on the second floor. Juan's apartment was closest to St. Charles Ave. on the downtown side of the courtyard. Since they lived next door, they had frequent casual contact with Juan, both adding that they had seen him talking to Mary Sherman on her balcony at the rear of the Patio on several occasions.

The bedroom of the Hawes' apartment shared a common wall with Juan Valdez's bathroom. This meant that the pipes for Juan's bathroom were inside the wall of their bedroom, near the headboard of their bed. So every time Juan flushed the toilet, they could hear the water running through the pipes in the wall. Given this situation, they could not help but notice something unusual happening that summer. At night, they would hear Juan's toilet flushing twenty to thirty times in a

row, as if disposing of something. I asked if this happened on more than one occasion, and both confirmed it was a night-after-night occurrence for a month or so. Whatever was being flushed, there was a lot of it.

Since it was Victoria who knew Lee from earlier days and who was home all day, she was the one who noticed Lee coming and going from Juan's apartment on a fairly regular basis. Since this was *before* the JFK assassination, Lee's name conveyed no special importance to someone who did not already know him, and she did not mention his name to her husband Owen. A young married woman also might not want her often-absent husband to worry that she was regularly encountering a young man whom she knew previously.

Owen Hawes, however, had independently seen so many strange things involving Juan Valdez that his suspicions were raised to a remarkable level. Things like NOPD officers coming and going out of Juan's apartment in the middle of the night, and Juan coming over to the Hawes' apartment and asking to use their telephone so that he could call Cuba and Miami, and having packages delivered to their address, claiming that they contained orchids which might perish in the heat.²

"It was a more innocent time, and we were more naive," Owen said to me in a somber moment of reflection. The net of all of this was that Owen's concern over Juan Valdez's behavior became so acute that he wrote a letter to the FBI to report that behavior as suspicious, suggesting that they investigate Valdez. According to Owen, the FBI ignored his warning, and the man who was helping Lee Oswald dispose of something under highly suspicious circumstances was not investigated. The question remains: What were they flushing down Juan Valdez's toilet?

In *Me and Lee*,³ Judyth Vary Baker explains how she and Lee would kill mice in David Ferrie's apartment, cut out the tumors, grind them up in a blender, put the puree into test tubes, and prep slides to be examined by microscope. Judyth would then transport these materials to Mary Sherman's apartment for her review. By August, Dr. Alton Ochsner, who was directing their project, continuously ramped up "the count" of

mice to be killed from 50 mice-per-day to 500 mice-per-day. Therefore, the quantity of biological material being brought to Mary Sherman's apartment increased dramatically. It is my conclusion that the toilets were flushed in Juan Valdez's apartment because Lee and Juan were disposing of the cancerous biological material from Mary Sherman's apartment.

NOPD Detective suspects Juan Valdez in Sherman murder

Several years before my conversations with the Haweses, a man named Frank Hayward had called me at home. Frank was one of the NOPD homicide detectives who investigated the Mary Sherman murder. I had written about him in my first book. After reading it, he wanted to discuss the Mary Sherman murder with me. He was friendly and complimentary about my research, and said with a tinge of regret in his voice, "In those days, we were not focused on forensics the way they are today. Back then, motive was more important."

Frank went on to add that he had solved 104 of the 107 homicide cases assigned to him by the NOPD. From this, I concluded that the real point of his phone call was to make sure that I knew he was a competent homicide investigator, and not some flake. He also reminded me that in 1963, before he became a detective, he was a patrolman working the Canal Street beat on foot, and that he and his partner had arrested Lee Harvey Oswald during a street incident on August 9th. Indeed, I later found Hayward's name on Oswald's arrest record.

Once Frank was comfortable talking to me, he finally confided that he had wanted to arrest Juan Valdez for Mary Sherman's murder. "There was just something about him that did not add up," Hayward said, "but we did not have sufficient evidence to make the charge stick, and you can't arrest someone on a hunch." Frank said that he was mystified by all of the phone calls that he got from a wide spectrum of law enforcement agencies (FBI, Justice Department, Louisiana State Police, etc.) who called him repeatedly to inquire about any progress investigating the Mary Sherman murder.

Frank had since passed away, but I remembered his comments about Valdez clearly. I mentioned these comments to Owen Hawes as we spoke, reminding him that it was Juan Valdez who said that he had smelled the smoke from Mary Sherman's fire from a heating vent. Then Owen dropped his next bombshell: There was no central air in the Patio Apartments. Owen was an engineer experienced in building design and construction; he said that the Patio Apartments had only window units located on the outer wall, and no central system at all, not even for heating. I was getting the picture. Valdez's apartment was the closest to St. Charles Ave. and Mary's apartment was the farthest from St. Charles, and there were no central air ducts. Juan Valdez was, therefore, the least likely person in the complex to smell the smoke from Mary Sherman's fire, unless he had been roaming around the courtyard of the Patio Apartments at 4:00 a.m for some reason. Maybe Juan Valdez knew more about what happened to Mary Sherman than he admitted.

Owen Hawes then said that his own name was mentioned in the police report about the burglary of Mary Sherman's apartment that happened months before her murder. Owen was concerned that the report falsely stated that Owen had noticed Sherman's apartment door ajar and had contacted Mary's friend Carolyn Talley about it. Owen had done neither of these things, and suspected that Juan Valdez had used his name when questioned by the police.

I was aware of the burglary, but had not been able to pin a date on it. The newspapers said it was six months earlier than her July murder, which would have placed it in January 1964. I asked Owen how he knew his name was in the Burglary Report, and he told me that he had a copy of the document. He offered to send it to me, and I accepted. What I found astounded me! Had I realized the importance of this document, I would have been looking for it vigorously. But I didn't; I was lucky. It was handed to me because of our conversation about Juan Valdez. The date of the burglary thundered at me: August 31, 1963. It was a date that I knew well.

August 31, 1963:

Lee drives Judyth to Jackson; Mary Flies to London.

Judyth Vary Baker was the young cancer researcher whose specialized skills were needed to weaponize cancer for a bio-weapon, and she was the one who transported “the product” of their cancer research to Mary Sherman’s apartment for her review. I had extracted what facts I could about Judyth’s story from her ill-fated 2006 book called *Lee Harvey Oswald: The True Story of the Accused Assassin of President John F. Kennedy by his Lover*, which was withdrawn after only 85 copies were printed. But even then, this August 31, 1963 date meant nothing to me. It was only after my publisher acquired the rights to Judyth’s memoir and asked me to build a timeline for the second draft that I started paying closer attention to the dates.

Today, that book is known as *Me & Lee: How I came to know, love, and lose Lee Harvey Oswald* by Judyth Vary Baker. I think it is an extremely important book. One of its great accomplishments is that it nails both the dates and the purposes of Oswald’s often overlooked trips to Clinton and Jackson, Louisiana. The first date in this constellation is August 28, 1963, the date that Rev. Dr. Martin Luther King gave his “I have a dream” speech in Washington, D.C. during the Civil Rights March. Because of this, CORE (the Congress on Racial Equality, a national organization based out of the University of Chicago) had planned voter-registration drives for blacks all across the country, especially in the South, for the following day, August 29, 1963. Highly segregated Clinton, Louisiana was one of those sites targeted by the CORE office in Baton Rouge.⁴

After a summer of killing mice and monkeys with their cancerous cocktail, it was time to test the concoction on a human. Thursday, August 29th was selected as the date, and Clay Shaw drove David Ferrie, Lee Oswald and the bio-weapon to Jackson, Louisiana. There they would need to get past the guards and fences surrounding the East Louisiana State Mental Hospital (a facility for the criminally insane) to inject

the bio-weapon into specially selected “volunteer” prisoners. The logistical problem was that the prisoner(s) who were to be injected were still in nearby Angola Penitentiary and needed to be transferred to the hospital in Jackson for that purpose. Jackson, Louisiana (not to be confused with Jackson, Mississippi) is a tiny town where a black Cadillac might attract unwanted attention to the men transporting the bio-weapon.

Clinton, Louisiana, however, was just down the road from Jackson and was a slightly larger town with a courthouse where cars like black Cadillacs were frequently parked by lawyers, judges and politicians. It was here that Clay Shaw planned to wait for a phone call that said the prisoner had left Angola and was en route to the hospital in Jackson.⁵ Once the prisoner had left, Shaw would proceed to Jackson to rendezvous with the van from Angola so that he could follow it onto the mental hospital grounds, as if his black Cadillac was part of the official convoy from Angola.

What Shaw and company expected to find in Clinton that day was an empty square in front of a small-town courthouse on a hot August afternoon. What they encountered, however, was a crowded square with a bunch of angry whites watching an unwanted black-voter registration drive, with the town’s marshal surveying the scene. So, instead of waiting quietly in the center of a lazy small town in rural Louisiana on a hot August afternoon, they had driven into the center of a hotbed of civil rights activity with everyone watching, as will be discussed in more detail.

Finally, the pay phone rang. Shaw got his call, and the black Cadillac headed to the hospital in Jackson where someone (presumably Ferrie) injected the prisoner(s) with the cancer weapon. Once that was done, Shaw’s team started the long drive back to New Orleans.⁶ Their work in Jackson was finished for the moment, but it would be two days before anyone would be able to tell if the bio-weapon had worked. To find out, a blood test would need to be done 48 hours later. And not just any blood test: a blood titration test. These were exotic

tests that only a few people in the country even knew how to perform ... one of these people was Judyth Vary Baker.

Two days later, at 11:00 a.m. on August 31, 1963, Lee Harvey Oswald began driving Judyth Vary Baker from New Orleans to Jackson, Louisiana,⁷ so Judyth could perform the blood tests on the prisoner(s) to confirm that the cancer cocktail had “kicked in.”⁸ It had. At the end of the day, Lee dropped Judyth off at her house at 1032 Marengo Street at 10:00 p.m. This was the end of Judyth’s involvement with the project, which had proven itself by this time.

The Burglary of Mary Sherman’s Apartment

That same night, around 11:00 p.m., someone pried open the sliding glass door to Mary Sherman’s apartment.⁹ But Mary was not there. Earlier that day, she had flown to London, where she was to stay for a month.¹⁰ The burglar(s) removed thousands of dollars of property from her apartment.

What is clear from reading *Me & Lee* is that by the end of August 1963, the development phase of the bio-weapon was over. All that remained was to test it on humans, and that involved the 48-hour blood tests that Judyth needed to perform. Before Judyth even tested the patient’s blood for cancer, Mary was headed out of the country. And by the time the day was over, the evidence that might have connected Mary to the project was stolen from her apartment. So what was stolen from Mary’s apartment? And why?

The NOPD made a list of the items stolen, but I don’t have that detailed list. The “attached list of stolen property” was filed separately.¹¹ What I do have is “Type and value of property stolen or recovered”:

Currency and Negotiable	\$ 35.00
Jewelry and Precious Metals	\$ 350.00
Furs	\$ 350.00
Miscellaneous	<u>\$ 1,760.00</u>
Total	\$ 2,495.00

These are 1963 dollars. In current value over \$12,000 of “Miscellaneous” items had been stolen! That’s 71% of the total! How unusual! In an effort to make sense out of this, I contacted Judyth Vary Baker, who had been in Mary’s apartment in 1963, and I asked her what had she seen in Mary’s apartment that could have been worth that much money. Judyth sent me back a list of laboratory equipment, including an expensive oil-immersion microscope and a rotating wheel that held test tubes, with their current prices that added up to \$12,000. I think it is safe to say that Mary’s medical equipment was the target of the burglary.

All of Mary’s medical equipment had been removed from her apartment. A heavysset Cuban-looking man had been seen near the scene. The net effect was that evidence connecting Mary Sherman to the bio-weapon plot had been “sanitized.” Neither Judyth nor Mary could expose Dr. Ochsner’s involvement without the evidence, and the evidence was now gone.¹²

EDWARD T. HASLAM, SPRING 2014

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- 1 Valdez is also spelled Valdes and Valadez in various documents.
 - 2 This detail of Juan Valdez using Victoria Hawes’s address for deliveries might explain why Lee knocked on her door looking for Valdez. In *Me & Lee*, Judyth Vary Baker discusses Lee rifling through people’s mail looking for information.
 - 3 Baker, Judyth Vary, *Me & Lee: How I came to know, love, and lose Lee Harvey Oswald* (Walterville, OR: TrineDay, 2010).
 - 4 The date of the Clinton incident has been argued about for years, but the obvious question was never asked. Did the African-American voter registration drive intentionally follow up the next day on Dr. Martin Luther King’s “I have a dream” speech. An obvious means of resolving the matter would have been to ask CORE (the Congress On Racial Equality) in Baton Rouge for the date of their voter registration drive in Clinton, Louisiana. In 2011, I figured out that Rev. Ben Cox had been head of CORE in Baton Rouge in 1963. I found his address in Jackson, TN, and sent him a letter. His wife told me that he had recently passed away. An obvious source for obtaining important information had been neglected for years. I was too late.
 - 5 Without cell phones in 1963, they waited near a pay phone.
 - 6 Jackson and Clinton are 3 to 4 hours from New Orleans. There and back is 7 to 8 hours of driving, not to mention the time needed to conduct their business there. Going there was an all-day affair.

- 7 Lee said he had something to do earlier in the morning, necessitating their rather late starting time. Might that something else have been driving Mary Sherman to the airport?
- 8 Details of this can be found in Judyth's book *Me & Lee*.
- 9 NOPD, Report of Burglary Offenses, Item # I-13812-63, dated 9-27-63.
- 10 This is why the Burglary Report is dated almost one month after the actual burglary.
- 11 Here are the NOPD file numbers for the items stolen from Mary Sherman's apartment: B-11098-55, J(or O)-3372-55, and B-3588-56.
- 12 The day before, August 30, 1963, Judyth had written a protest to Dr. Alton Ochsner, Sr. claiming that exposing people to lethal substances without their consent was unethical. See *Me & Lee*. The result was that Ochsner became furious and banished Judyth from medicine. Ochsner knew the type of trouble that a public exposure of their experiments would cause. He may have been the person who arranged for Mary's apartment to be burglarized in order to destroy the evidence.

